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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

SUGA	Atty. Ref.: 925-203; Confirmation No.
Appl. No. 09/898,082	TC/A.U. 2815
Filed: July 5, 2001	Examiner: Nguyen, Joseph H.

For: SEMICONDUCTOR DEVICE AND METHOD FOR FABRICATING THE DEVICE

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April 29, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST TO WITHDRAW ABANDONMENT UNDER 37 C.F.R. 1.181

Pursuant to 37 C.F.R. § 1.181, applicant hereby requests that the notice of abandonment dated March 22, 2005 with withdrawn. In particular, this case has not gone abandoned since an RCE was filed on February 23, 2005.

The BPAI mailed a decision on December 23, 2004. Before expiration of the 2 month time period, applicant filed an RCE on February 23, 2005. The USPTO's PAIR system confirms the filing of this RCE. Moreover, a date-stamped postcard evidencing the RCE's filing is attached hereto. Thus, this case has not gone abandoned. The notice of abandonment dated March 22, 2005 is improper.

In view of the above, it is respectfully requested that the notice of abandonment dated March 22, 2005 be withdrawn, and that the Examiner address the RCE filed February 23, 2005 on the merits.
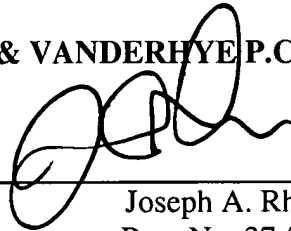
Please contact the undersigned should there be any questions. It is believed that no fee is due herewith since the error arose on the part of the USPTO. However, if any fee is deemed necessary, the USPTO is authorized to charge deposit account no. 14-1140 any fee needed to keep this case pending or to implement the withdrawal of the abandonment.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____
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RCE Application   C#/M#: 925-203
Serial No.: 09/898,082·   . Atty: Joseph A. Rhoa
Inventor/s: SUGA   Date: Feb. 23, 05
Title: SEMICONDUCTOR DEVICE AND METHOD FOR
FABRICATING THE DEVICE

XX Amendment in RCE (5pgs)

☒ **Credit Card Payment Form attached ($790.00)**   —
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Other: Request for Continued (RCE)
Transmittal (in duplicate)